

SECTION 4 - GENERAL REGULATIONS

4.1 Performance Standards

4.1.1 No land, building or structure shall be used or occupied in any district in the Town of Grafton except in conformance with the standards contained herein.

4.1.2 Except as herein provided, all use and conditions of land, buildings and structures shall be in conformance with the Regulations as Amended for the Control of Air Pollution in Central Massachusetts Air Pollution Control District, adopted by the Bureau of Air Quality Control, Division of Environmental Health, Department of Public Health, Commonwealth of Massachusetts, as amended to become effective September 1, 1972 and amendments thereto. Enforcement of the regulations is provided for in Regulation 52.1 and amendments thereto.

4.1.3 Heat, Glare and Vibration

No heat, glare or vibration shall be discernible from the outside of any structure. In no case shall vibration be permitted which is discernible to the human sense of feeling for three (3) minutes or more duration in any one (1) hour of the day between the hours of 7 a.m. and 7 p.m., or of thirty (30) seconds or more duration in any one (1) hour between the hours of 7 p.m. and 7 a.m.

4.1.4 Waste Disposal, Water Supply and Water Quality

All requirements of the Massachusetts General Laws and the Regulations of the State Department of Public Health shall be met and, when required, approval shall be indicated on the approved Site Plan. In no case shall discharge cause the waters of the receiving body to exceed the limits assigned by the Commonwealth of Massachusetts, Department of Environmental Protection, Division of Water Pollution Control, as published and entitled "Surface Water Quality Standards" 314C.M.R. 4.00, Water Quality Standards for Groundwater 314C.M.R. 6.00, the Federal Safe Drinking Water Act 40 C.F.R., 141 - 143, and any amendments thereto.

4.1.5 Storage

1. All materials, supplies and equipment not intended for retail and wholesale shall be stored in accordance with Fire Prevention Standards of the National Fire Prevention Association and shall be screened from view from public ways and abutting properties.
2. The storage, utilization or manufacture of materials or products which decompose by detonation shall be in accordance with standards as adopted by the Massachusetts Department of Public Safety.
3. The storage, utilization or manufacture of solid materials which are subject to intense burning or of flammable liquids or gases shall be subject to conditions of a permit issued by the Board of Selectmen.

4.1.6 Work Within or Affecting Existing Road or Right of Way

No work shall take place within a public street right of way except in accordance with all applicable permits. A Driveway Permit shall be required for any driveway or street proposed

to intersect or access an existing street, or to alter the dimension, geometry or drainage characteristics of any existing driveway or street. All work shall be completed in accordance with a valid permit and shall be so certified by the Superintendent of Streets or his designee prior to receipt of an occupancy permit for any structure or use.

(T.M. 5-11-98)

4.2 Off-Street Parking and Loading

4.2.1 General

Sufficient off-street parking and loading shall be provided to serve all persons needing vehicular access to new structures and uses, and to enlarged, extended or changed structures and uses to the extent such need is increased by such enlargement, extension, or change. Minimum parking requirements are set forth in the "Off-Street Parking Schedule".

4.2.2 Off-Street Parking Schedule

Use	Unit of Measure	Parking spaces required per unit or fraction thereof
One or two family Dwelling	Dwelling unit	2.00
Multi-family Dwelling	Dwelling unit	2.25
Lodging House, Hotel, Motel or Motor Court, Bed and Breakfast Homestay (T.M.5-13-91)	Each guest room or suite	1.00
Nursing and/or Convalescent Home	2 Employees, maximum shift plus 3 beds	1.00 1.00
Recreational use available to the public, Restaurant	3 seats plus each employee maximum shift	1.00 1.00
Other Business use:		
Buildings with less than 2,000 sq. ft. excluding storage area	200 sq. ft. gross floor area excluding storage area	1.00
Buildings with more than 2,000 sq. ft. excluding storage area	150 sq. ft. gross floor area excluding storage area	1.00
Transportation Industrial and Utility Use	1.3 employees, maximum shift	1.00
Industrial and Warehouse Use (T.M. 10-17-94)	500 sq. ft. gross floor area	1.00

4.2.3 Location Requirements

4.2.3.1 Parking and loading areas and garages shall be provided on the same lot as the use they are required to serve, except as provided in Section 4.2.5.1 herein.

4.2.3.2 No parking or loading area shall be located within ten (10) feet of a street line. No parking area containing more than four (4) spaces or a loading area shall be located within 50 feet of a street line in an I or OLI District, nor within a required front yard in an R-40, R-20, or R-MF District. No parking area or garage containing more than two (2) spaces or loading area shall be located in a front yard in an NB District.

4.2.3.3 No parking area serving a multi-family dwelling shall be located nearer to any lot line than the distances specified as minimum yards in the Intensity of Use Schedule (Section 3.2.3.2), nor shall it be located in the area to the front of the building line.

4.2.3.4 Loading and Unloading Areas - Loading and unloading areas shall be so located and designed that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way, and complete the loading and unloading operations without obstructing or interfering with any public right-of-way, access drive or any parking space or parking lot aisle.

4.2.3.5 Loading and Off-Street Parking - No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

4.2.3.6 Off Street Loading Standards

Zone:	NB	RMF	CB	OLI	I
Berth size:					
width	12	12	15	15	15
length	25	25	50	50	50
overhead clearance	14	14	15	15	15

(T.M. 5-13-91)

4.2.4 Other Requirements

4.2.4.1 A parking area containing more than six (6) spaces or a required loading area shall be designed so that no vehicles need back onto or off a street or stand on a street while parking, loading, unloading or waiting to do so.

4.2.4.2 No street access drive for parking areas containing six (6) or more spaces or a loading area shall exceed 30 feet in width at the street line. The minimum distance between the sidelines of such drives and the sidelines of any intersecting street or any other street

access drive, measured between where such street and driveway sidelines intersect the adjacent street line shall be as follows:

	From intersecting streets	From other drives
Drives serving a dwelling	50	20
Drives serving a hotel, motel or motor court	50	60
Drives serving other permitted principal structures in an:		
R-MF District	50	50
NB District	50	50*
I District	50	150
CB District	50	50
OLI District	50	50
other Districts	50	60

* Sideline of street access drive shall be no closer than 25 feet to the sideline of the property.

4.2.4.2.1 Access Drives - All access drives serving parking areas shall be at least twenty-four (24) feet wide; except that if tractor trailers would be accommodated then the roads shall be fourteen (14) feet wide for one-way traffic and twenty-four feet wide for two-way traffic. (T.M. 5-13-91)

4.2.4.3 Egressing vehicles from drives serving more than forty (40) parking spaces shall have 200 feet visibility in each travel direction.

4.2.4.4 Parking and loading areas shall be graded, surfaced with a non-dusting material, drained and suitably maintained to the extent necessary to avoid the nuisance of dust, erosion, or any water flow onto streets or adjoining property.

4.2.4.5 Parking areas containing more than five (5) spaces shall include or be bordered within five feet of the spaces by at least one tree of 2" caliper for each five (5) spaces. Trees within parking areas shall be in curb or berm protective plots of at least 60 square feet per tree. No such protective plot shall be paved with any impervious material.

4.2.4.6 Not less than 25% of any lot area shall be retained as unoccupied space free of all buildings, parking, pavement including street access drives and walks or other conditions rendering the land surface impervious.

4.2.4.7 All commercial site plans shall show all proposed lighting on said site for exits and entrances and said lighting shall be erected and maintained by the owner.

4.2.5 Special Cases

4.2.5.1 Parking spaces may be provided on lots separate from a nonresidential use they are to serve and be credited to such use in meeting the requirements of this By-Law, provided they are legally available and are within 300 feet of the principal structure, measured within street right-of-way. Proof of legal availability shall be required and failure to retain the availability of such parking spaces for the need they are required to serve shall be sufficient cause to deny or revoke a Use Permit until such spaces are restored or replaced.

4.2.5.2 Reserve Parking - Reserve Parking Spaces Under a Site Plan Special Permit, the Special Permit Granting Authority (SPGA), may authorize a decrease in the number of parking spaces and shall have the authority to require an increase in the number of parking spaces required above, in accordance with the following:

4.2.5.2.1 The SPGA may authorize a decrease in the number of parking spaces required provided that:

- a) The decrease in the number of parking spaces is no more than 30% of the total number of spaces required. The waived parking spaces shall be set aside and shall not be intended for immediate construction. Such spaces shall be labeled as "Reserve Parking" on the site plan and reference Section 4.2.5-2.
- b) Any such decrease in the number of required parking spaces shall be based upon documentation of the special nature of a use or building.
- c) The parking spaces labeled "Reserve Parking" on the site plan shall be properly designed as an integral part of the overall parking layout, located on land suitable for parking development and no case located within area counted as buffer, parking setback or open space.
- d) The decrease in the number of required spaces will not create undue congestion or traffic hazards and that such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this bylaw.
- e) Such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this bylaw.

4.2.5.2.2 If, at any time after the Certificate of occupancy is issued for the building or use, the Inspector of Buildings determines that additional parking spaces are needed, the Inspector shall notify the Planning Board, in writing, of such finding and the Planning Board may require that all or any portion of the spaces shown on the approved site plan as "Reserve Parking" be constructed.

4.2.5.2.3 The Planning Board may require provisions for an increase in the number of parking spaces required under this section provided that:

- a) The increase in the number of parking spaces is no more than 20% of the total number of parking spaces required under this section provided that:
- b) Any such increase in the number of required parking spaces shall be based upon the special nature of a use or building.
- c) The increased number of parking spaces shall be labeled "Increased Reserve Parking" on the site plan and shall be properly designed as an integral part of the overall parking layout, located on land suitable for parking development and in no case located within area counted as buffer or parking setback. The applicant shall not be required to construct any of the parking spaces labeled as "Increased Reserve Parking" for at least one year following the issuance of a Certificate of Occupancy. Where the "Increased Reserve Parking" area is required and the applicant has otherwise provided the number of parking spaces required, the area of land reserved for the increased number of parking spaces may be deducted from the minimum open space required under Section 4.2.4.6.

4.2.5.2.4 If after one year from the issuance of a Certificate of occupancy the Inspector of Buildings finds that all or any of the "Increased Reserve Spaces" are needed, the Inspector may notify the Planning Board, in writing, of such finding and the Planning Board may require that all or any portion of the spaces identified as "Increased Reserve Spaces" on the site plan be constructed within a reasonable time period as specified by the Planning Board. (T.M. 5-13-91)

4.3 Major Business, Office and Industrial Complexes

4.3.1 Applicability: Any premises having more than 20,000 square feet gross floor area devoted to retail stores or office services (including motor vehicle), restaurant, fast food establishment, bank, finance agency, industry or indoor or outdoor commercial recreation shall be considered as a Major Complex. The construction of drainage, utilities and roadways shall be performed in accordance with the design and construction standards of the Rules and Regulations Governing the Subdivision of Land in the Town of Grafton. The special permit granting authority shall have the right to waive such special requirements. Construction or change of use resulting in such a complex is allowable only if granted a Special Permit in accordance with the following:

4.3.2 Objectives: The objectives for allowing Major Complexes are to increase the diversity and convenience of goods and services available in Grafton to provide entrepreneurial and employment opportunities for area residents, to focus development at locations able to support it with relatively small environmental or municipal cost, and to protect the town's natural environment, existing character and development, and ability to provide public services.

4.3.3 Submittals: A copy of the following shall accompany an application for a Special Permit for a Major Business Office and Industrial Complex or for rezoning to accommodate such a complex.

1. A site plan at a scale of 1" = 40' showing all information specified in Section 1.3.3.4 (Site Plan)
2. Analysis of the consequences of the proposed development, evaluation of the following impacts at a level of detail appropriate to the scale of development proposed, and using analysis methods suggested by the special permit granting authority.

Natural Environment: groundwater and surface water quality groundwater level, stream flows, erosion and siltation, vegetation removal (especially unusual species and mature trees), and wildlife habits.

Public Services: traffic safety and congestion, need for water system improvements, need for public sewerage.

Economics: anticipated market area, complementary with or duplication of existing services, amount and types of employment, labor force area.

Visual Environment: visibility of buildings and parking, visual consistency with existing development in the area.

4.3.4 Decision Criteria: A special permit for a Major Complex shall be granted only upon determination by the special permit granting authority that the requirement of the above Special Permit Criteria, Section 1.5.5, and the following have been met.

1. The proposed plan is consistent with any submittals made prior to rezoning, or in the event of inconsistency, satisfactory explanation has been made and submitted showing why the departure is necessitated by change conditions or earlier error, and that the departure does not reduce compliance with the objectives for the Major Complexes.
2. The Complex shall be so designated and located that annual average daily traffic is not increased 50% or more above current levels at any point more than 1,000 feet from a state highway intersection, with current levels being as determined by the Grafton Planning Board at developer's expense; and shall be so located that resultant traffic is not above the capacity of roads and intersections for level of service "C" at any point within 1 mile of the premises using definitions and methods of estimation as outlined by the Highway Research Board Highway Capacity Manual, 1965 or later editions. (T.M. 10-28-86)
3. Site design and storm water facilities shall be so designed that in a 50 year storm the peak stormwater flows leaving the premises will not be increased more than 10% above current flows or cause design capacity of receiving structures or channel capacity of receiving streams to be exceeded.

4.4 Signs

Purpose

The purpose of this section is to regulate the size, location, type, illumination and installation of all signs and other similar advertising devices within the Town of Grafton in order to: protect the public health, safety, convenience and general welfare of residents and visitors; protect and enhance the visual environment of the Town of Grafton; assure that signs do not unnecessarily detract from the historic qualities and characteristics of the Town; facilitate efficient communication and avoid confusion; avoid conflict between signs and the visual qualities of their environs; and, support business vitality.

A sign is anything that advertises, directs, promotes, identifies, describes or draws attention to person, products, events, or firms. A sign is any combination of letters, figures, shapes, colors, devices, pictorial or three-dimensional representations, whether rigid, movable, portable, or flexible. The provisions of Section 4.4 shall not apply to signs either held or supported by an individual or group of persons. (T.M. 5-10-04)

4.4.1 Administration

4.4.1.1 Permits Required

1. No sign shall be erected except as provided by the By-Laws and after a permit has been issued by the Inspector of Buildings or if required, a special permit has been issued by the Planning Board.
2. Application for a sign permit shall be made in writing upon forms furnished by the Inspector of Buildings. An original application shall contain the location, by street number, of the proposed sign, the name and address of the owner of the premises where the sign is to be located, the name and address of the owner of the sign, the name and address of the sign contractor or erector, if any, and a scale drawing showing the construction, the methods of installation or support, colors, dimensions and position of the sign, method of illumination, if any, and such other relevant information as may be requested. The application must be signed by both the owner of the premises where the sign is to be located and the owner of the sign, acknowledging responsibility for compliance with the By-Law. An application which is incomplete, as determined by the Inspector of Buildings, shall be returned to the applicant. An application for a sign renewal permit shall contain such information as the Inspector of Buildings may require.
3. Within thirty (30) days after application for a permit has been made, the Inspector of Buildings shall approve or disapprove the application.
4. A sign permit fee of \$30.00 shall be paid to the Town of Grafton for each permit.
5. Sign permits will be issued for a period of three (3) years. Subsequent renewals shall be \$10.00 for each three (3) years.
6. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six (6) months from the date of the

permit. The applicant shall notify the Inspector of Buildings of completion of work under a permit within ten (10) days of completion.

7. All signs erected under this By-Law shall be erected in the exact location and manner described in the permit. The permit number shall be clearly visible on the sign.
(T.M. 10-17-88)
8. The application for a permit for an automated variable message sign shall include contact information for one or more contacts who shall be available 24 hours a day, seven days a week, and who shall be responsible for message content and sign maintenance. This requirement is for the direct contact of a responsible party for compliance to this Bylaw and the issuance of an emergency Public Service Announcement (PSA). The issuance of an emergency PSA shall be voluntary on the part of the sign owner. If said contact information changes subsequent to the permit application, updated contact information shall be provided to the Inspector of Buildings and the Chief of Police.

4.4.1.2 Exceptions

1. No permit shall be required for a sign in a residential district erected in accordance with the provision of Section 4.4.3.1 of this By-Law.
2. No permit shall be required for any sign erected by the Town or by the Commonwealth of Massachusetts or any subdivision or agency thereof.
3. No permit shall be required for holiday decorations when displayed within forty-five (45) days prior to and ten (10) days after the holiday with which they are specifically identified and which do not advertise or promote the interests of any person, premise or activity.
4. No permit shall be required for signs endorsing candidates or issues for public elections, which are displayed as temporary or portable signs provided such signs are not greater than twelve (12) square feet in area. Such signs shall be allowed in all zoning districts and shall comply with all other requirements for temporary signs as set forth in Section 4.4.2.6 of this By-law.
(T.M. 5-10-04)

4.4.1.3 Enforcement

1. At the request of the Applicant the Inspector of Buildings shall inspect every sign for which a permit is required within thirty (30) days after it is erected to determine whether the sign has been erected in accordance with the provisions of the permit therefore and shall order the removal or modification of any sign erected or maintained in a manner inconsistent with such permit. Thirty (30) days notice in writing shall be given to the owner of such sign, and to the owner of the premises on which such sign is located to remove the sign or to modify it to be in accordance with the provisions of the permit. Immediate removal may be ordered for any sign requiring a permit which is erected without first obtaining such permit.

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2. Any sign owner or owner of property on which a sign is located who violates, or permits a violation of, this By-Law shall be subject to a fine of not more than \$50.00 a day if the violation continues more than thirty (30) days after the later of (1) the date of the notice referred to above, or (2) the date of conclusion of any appeal there from.

4.4.2 General Regulations

1. Electric signs are not permitted within any residential district.
2. No red or green lights shall be used on any sign if the sign is located so that such lights could create a driving hazard.
3. No sign may be illuminated more than thirty (30) minutes after closing of any store or business, or thirty (30) minutes after working hours in an industrial building, except signs identifying municipal buildings.
4. Internally illuminated signs, luminous signs, and signs illuminated from an external source directed solely toward said sign are the only permitted methods of illumination. The light from any sign shall be so shaded, shielded or directed or shall be maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect the neighboring premises nor the safe vision of operators of vehicles moving on public ways. Only white lights shall be used for external illumination of a sign.
5. Billboards are prohibited in all parts of the Town of Grafton, except where specifically permitted.
6. Except as specifically permitted by this By-Law or where otherwise exempted by the provisions of the United States Constitution and Article 16 of the Massachusetts Constitution, all temporary signs and portable signs are prohibited in the Town of Grafton. Temporary signs and portable signs permitted under this Bylaw shall be displayed no earlier than thirty (30) days prior to, and no later than seven (7) days after any event for which such sign is intended to address. Such signs shall not be erected or displayed so as to endanger public safety.

4.4.2.1 Illumination

1. Electric signs are not permitted within any residential district. Changeable Electronic Variable signs are permitted only in the Community Business zoned districts (this shall not apply to existing non-conforming signs of these types).
2. No red or green lights shall be used on any sign if the sign is located so that such lights could create a driving hazard.
3. No sign may be illuminated more than thirty (30) minutes **before opening or** after closing of any store or business, or thirty (30) minutes **before or** after working hours in an industrial building, except signs identifying municipal buildings.

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4. Internally illuminated signs, luminous signs, and signs illuminated from an external source directed solely toward said sign are the only permitted methods of illumination. The light from any sign shall be so shaded, shielded or directed or shall be maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect the neighboring premises nor the safe vision of operators of vehicles moving on public ways. Only white lights shall be used for external illumination of a sign.
 5. An electric sign on which the message is visible only when the sign is illuminated (including, but not limited to, a changeable electronic variable message sign) shall be equipped with a light detector/photocell, a scheduled dimming timer, or other automatic control by which the sign's brightness can be dimmed when ambient light conditions darken. In addition to any other enforcement authority specified in this bylaw, the Inspector of Buildings shall have the authority to enforce reasonable standards upon any owner of such a sign regarding the brightness of the sign.
 6. A message displayed on a changeable electronic variable message sign shall be composed of one foreground color and one contrasting background color.

4.4.2.2 Billboards

1. Billboards are prohibited in all parts of the Town of Grafton, except where specifically permitted.

4.4.2.3 Temporary Signs

Except as specifically permitted by this By-Law or where otherwise exempted by the provisions of the United States Constitution and Article 16 of the Massachusetts Constitution, all temporary signs and portable signs are prohibited in the Town of Grafton. Temporary signs and portable signs permitted under this By-Law shall be displayed no earlier than thirty (30) days prior to, and no later than seven (7) days after any event for which such sign is intended to address. Such signs shall not be erected or displayed so as to endanger public safety.

4.4.2.4 Moving Signs

1. Except as provided in this subsection, signs or portions thereof operated so as to swing, flash, or revolve, signs consisting of pennants, ribbons, streamers, spinners, strings of light bulbs, revolving beacons, searchlights, signs displaying animation, and signs operated or illuminated so as to create the illusion of motion are prohibited in all districts.
2. Any message, advertisement, announcement or display on an automated variable message sign shall remain fixed for a period of at least ten (10) seconds.
3. An automated variable message sign shall change from one message, advertisement, announcement or display to the next within three-tenths (0.3) of one second.

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4. A changeable electronic variable message sign shall display no message if it malfunctions in a way that renders it incapable of complying with the provisions of this by-law.

4.4.2.5 Installation

1. No sign shall be erected that shall in any way create a traffic hazard, nor shall it in any way obscure or confuse traffic control.
2. No sign, or sign structure, may project beyond the curb line.
3. Letters, figures, characters or representations in cutout or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign, shall be safely and securely built or attached to the sign structure.
4. No sign shall be painted on the exterior surface of any wall, including windows and doors.
5. Signs shall be designed, constructed and erected in accordance with the State Building Code.
6. No sign shall be posted or attached to utility poles, trees, fences, other signs, or structures other than buildings or a structure designed to support a free-standing sign.
7. All signs shall be erected on the same lot as the premises, person or activity they are intended to advertise, call attention to or identify, except for institutional directory signs, which may be erected off-premises subject to the provisions set forth in Section 4.4.4.2 of this By-Law. Notwithstanding the foregoing, a variable message sign may from time to time display an emergency public service announcement upon request of the Town, as specified in Section 4.4.1.1 (8) of this By-Law, or a message advertising, announcing or promoting a charitable, religious or civic event.
8. All signs in NB, CB, OLI, and I can be installed with set-back requirements of 12 L.F. to the front and side lot lines.

Signs and appurtenance structures to be constructed so that no portion of the sign (except pole) shall be located above 2 1/2 feet or below 7 feet.

4.4.2.6 Dimensions of a Sign

The area of a sign shall be the area of the smallest rectangle or circle within which the entire sign can fit; excluding structural supports which do not contribute through shape, color, or otherwise to the sign's message; but including any separate surface, board, frame or shape on or within which the sign is displayed. For signs the components of which are painted or engraved on, or otherwise applied directly to a building or other structure, the sign area shall include any background of a different color, material or appearance from the remainder of the wall or structure, and shall in any event enclose all letters, figures, or representations related to the sign. The

dimensions of a sign shall be the length and width of such a rectangle or the diameter of such a circle. The height of a sign shall be measured to the highest point of the sign, including any structural or ornamental projections above the sign proper, from the average ground level above which the sign is located. A two-sided sign with messages on opposite sides (back-to-back) will be deemed to be one sign; a sign with faces at an angle to each other shall be deemed to consist of several signs, one for each direction faced. Illustrations of sign dimensions are shown on the next page.

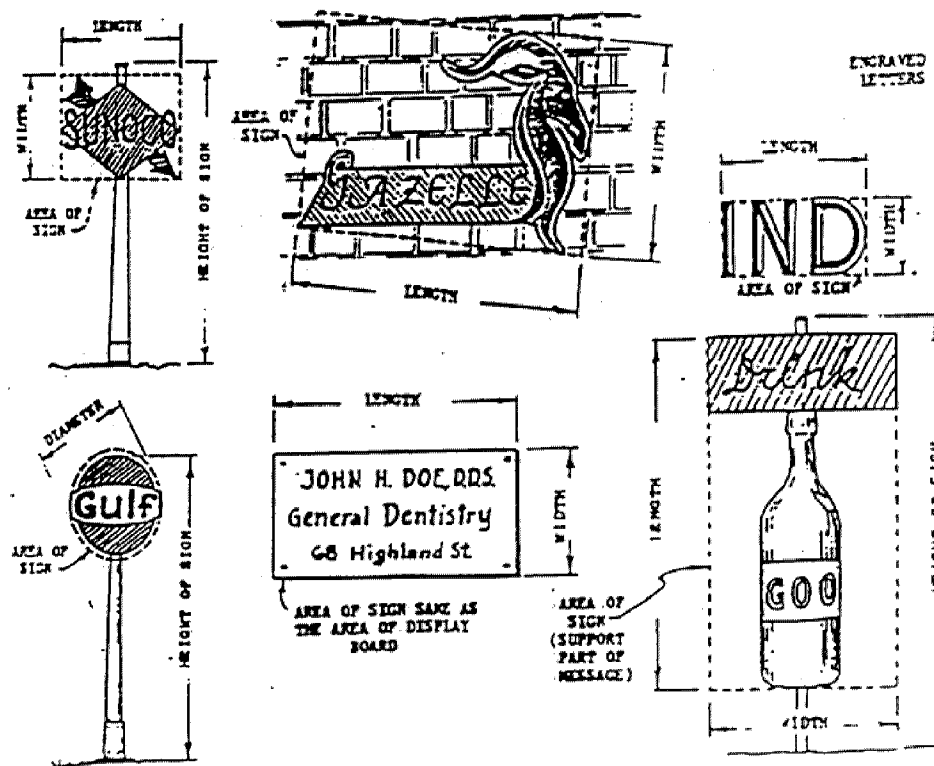
4.4.2.7 Maintenance

Every sign shall be maintained by the owner in a safe and well maintained condition. Every freestanding sign shall be kept free and clear of all obnoxious substances, rubbish and weeds.

4.4.3 Regulations and Restrictions

The regulations and restrictions set forth in this article shall apply to each sign in the zoning district in which it is erected. In any zoning district one wall or freestanding sign not exceeding twelve (12) square feet in area is permitted which denotes and describes a place of worship, library, museum, social club or society or a similar non-profit institution or school, and is located on the premises thereof.

ILLUSTRATIVE APPLICATION OF SIGN DIMENSIONS AND AREAS (See Section 4.4.2.3 for text)



4.4.3.1 Agriculture and Residential Districts (A, R-40, R20, and RMF)

No sign shall be permitted in an agricultural or residential district except as follows and as permitted elsewhere in this By-Law.

1. One (1) wall sign or freestanding sign which does not exceed two (2) square feet in area, having the name of the occupant or the designation of any authorized occupation permitted in the district, or both, shall be permitted.
2. One (1) wall sign or freestanding sign which does not exceed six (6) square feet in area and advertises the rental, lease, or sale of the premises shall be permitted; provided, however, such sign shall be removed within seven (7) days of the rental, lease or sale of the premises.
3. Temporary signs not exceeding six (6) square feet in area may be erected to warn against contagious diseases, to warn against danger or to ensure silence where serious illness exists.
4. For bed and breakfast homestays, one small unlighted announcement sign that may not exceed three square feet in area and that the sign be attached to and parallel with the front wall of the building.

(T.M. 5-13-91)

5. During the construction of a residential subdivision or multi-family dwelling development, one (1) freestanding sign no greater than twelve (12) square feet in size may be erected on the premises at the entrance to said development to identify the project, including the name of the developer, builder, contractor, engineer, and/or sales agent. Such sign shall not be illuminated, shall be installed a minimum of ten feet (10') from all street right-of-ways and abutting property lines, and shall not create a nuisance or hazard condition for vehicles and pedestrians or endanger public safety. Such sign shall not be erected until construction has commenced in accordance with all applicable requirements of the Town of Grafton, and shall be removed within seven (7) days of completion of construction or the issuance of the last occupancy permit in the development, whichever occurs sooner. Once erected, such sign shall only be displayed provided the necessary approvals and/or permits for said development remain valid and, in the opinion of the Building Inspector/Zoning Enforcement Officer, construction of the development remains continuous.

(T.M. 5-10-04)

4.4.3.2 Business and Village Mixed Use Districts (NB, CB and VMU)

No sign shall be permitted in a business district except as follows:

1. There shall be no more than one exterior sign for each store, not including directional or informational signs, except as provided herein. The exterior sign may be a wall sign, individual letter sign, or sign projecting from a

building. If the store has a direct entrance into the store in a wall other than the store front, there may be a secondary sign affixed to such wall and, if the store has a wall other than the store front, that faces upon a street or parking area, there may be a secondary sign affixed to such wall whether or not such wall contains an entrance to the store; provided, however, that no store shall have more than two (2) secondary signs in any event. The display surface of each of the secondary signs shall not exceed six (6) square feet.

2. A wall sign or individual letter sign shall meet all of the following criteria:

A. **Height** : The height of any sign shall not exceed four feet (4'), and no sign shall project above the highest line of the roof of a building.

B. **Length** :

1.) For any building fully occupied by a single store/business, the length of a sign shall not exceed the lesser of the full length of the side of the building to which the sign will be affixed or forty feet (40'); or,

2.) For any building occupied by more than one store/business, the length of a sign for each store/business shall not exceed the lesser of two feet (2') shorter than the length of the wall occupied by that store/business to which the sign will be affixed or twelve (12) lineal feet.

C. **Area** :

1.) For any building fully occupied by a single store/business, the area of a sign shall not exceed one and one-quarter (1 ¼) square feet for each lineal foot of the store wall to which the sign will be affixed; or,

2.) For any building occupied by more than one store/business, the area of sign for each store/business shall not exceed one and one-quarter (1 ¼) square feet for each lineal foot of store wall occupied by that store/business to which the sign will be affixed.

(T.M. 10-20-03)

3. A sign projecting from a building shall not project more than six (6) feet and shall not contain more than twenty-four (24) square feet of display surface. A sign which projects over a sidewalk may not contain more than six (6) square feet of display surface.

4. Directional or informational signs shall be limited to two (2) square feet in overall area. Directional and informational signs may not be located at a height over six (6) feet above ground level if mounted on a building wall, nor three and one-half (3-1/2) feet above ground level if freestanding.

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5. In addition to the signs permitted under paragraph 1 above, there may be one (1) directory sign listing the occupants or tenants of the building affixed to the exterior wall of the building at each entrance to the building. A directory sign shall not exceed an area determined on the basis of one (1) square foot for each occupant or tenant of the building.
 6. Any business may divide the total display area of the one (1) exterior sign affixed to the front wall of the building, to which they are entitled as herein above provided, into separate signs affixed to and parallel to such wall and indicating the separate operations or department of the business; provided, however, that the total of the width of the separate signs shall not exceed the maximum width permitted under this By-Law for a single exterior sign on such wall.
 7. In addition to signs permitted in items 1 and 5 of this section, one freestanding sign per lot is permitted, subject to the following provisions. A freestanding sign may have one (1) square foot of area for each four(4) linear feet of front lot distance, up to a maximum of seventy-five (75) square feet of sign area. If the front lot line is less than one hundred (100) lineal feet, a sign area of twenty-five (25) square feet is permitted. If the front lot line is more than three hundred (300) lineal feet, a sign area of ninety-five (95) square feet is permitted, provided that such a sign is set back from the front lot line at least fifty (50) linear feet. Freestanding signs shall not be more than ten (10) feet in height above the ground, excepting that they may increase in height by one (1) foot above ten (10) feet for each two (2) feet they are set back from the front lot line. No freestanding sign shall be higher than twenty-five (25) feet above the ground. No freestanding sign shall obstruct the view of motorists as required for traffic safety.
 8. The standard type of gasoline and diesel fuel pump bearing thereon in usual size and form the name or type of fuel and the price thereof, shall not be deemed to be a sign under this By-Law.
 9. During construction of a new building, a free-standing sign may be erected on the premises to identify the building, the owner, the contractor, the architect or the engineers, provided such sign shall not exceed thirty-two (32) square feet in area, or ten (10) feet in width or height. Such sign shall be removed within seven (7) days of issuance of an occupancy permit for the building.
 10. In addition to signs otherwise permitted, one (1) wall sign or freestanding sign, not exceeding twelve (12) square feet in area, advertising the rental, lease, or sale of the premises shall be permitted. Such sign shall be temporary and shall be removed within seven (7) days of the rental, lease or sale of the premises.
 11. In addition to signs otherwise permitted, window signs are permitted in business districts provided that their aggregate display surface does not exceed twenty-five (25) percent of the total exterior glass area, and that they

are lighted by normal building illumination only. Window signs less than three by four feet (3' x 4') promoting charitable events shall not count against the allowable twenty-five (25) percent. (T.M. 10-17-88)

12. Signs within the Village Mixed Use District may be illuminated only from external sources, and only white lights shall be used for illumination.

4.4.3.3. Office and Industrial Districts (OLI and I)

1. All signs except sign projecting from a building, shall be subject to the restrictions contained in Section 4.4.3.2. The words "office and industrial use" shall be substituted for "store" or "business" as they appear in Section 4.4.3.2.
2. A sign projecting from a building shall not project more than six (6) feet and shall not have an exposed display surface of more than twenty-four (24) square feet. One projecting sign shall be allowed per exterior doorway.

4.4.4 Special Cases / Relief

4.4.4.1 The Inspector of Buildings may grant a permit for a temporary or portable sign not exceeding thirty-two (32) square feet in area, located on or off the premises of a nonprofit organization, provided that such sign is used exclusively to advertise an event sponsored by the nonprofit organization. The sign shall be displayed in accordance with all other requirements for temporary signs as set forth in Section 4.4.2.6 of this By-law. A sign permit fee shall not be required for signs erected pursuant to this sub-section.

4.4.4.2 The Planning Board may grant a Special Permit authorizing relief from the provisions of Section 4.4 only as specified under the following sub-sections. Such relief may be granted in cases where either extreme or unusual conditions exist or enforcement of the By-Law would involve practical difficulties or unnecessary hardship, provided in each case desirable relief may be granted without substantially derogating from the intent and purpose of this Bylaw. In granting a Special Permit under this Section, the Planning Board shall make findings on which to base its determination with respect to the following:

- (a) whether public safety, convenience, and traffic-flow will be improved thereby, and the sign will not be a nuisance or a hazard to vehicles and pedestrians;
- (b) whether the architecture of the building, the location of the building with reference to the street or the nature of the establishment is such that the sign should be permitted in the public interest;

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- (c) whether the sign will cause visual confusion, glare, **or** offensive lighting in the neighborhood or surrounding properties;
 - (d) whether the sign requested pursuant to the special permit application is necessary due to topography or site conditions unique to its proposed location;
 - (e) whether a unique and particular type of use requires additional signage in order to identify the premises adequately;
 - (f) whether the sign in question is appropriately located and reasonably adapted to the proper use;
 - (g) whether the sign will significantly alter the character of the zoning district or be a detriment to the surrounding area;
 - (h) whether the sign will be detrimental to the public safety and welfare; and
 - (i) whether the granting of the Special Permit would derogate substantially from, or would be in harmony with, the intent and purposes of the By-Law.

Due to unique or uncharacteristic circumstances and conditions that may exist relative to a particular application under this sub-section, the Planning Board shall not be limited solely to these criteria in exercising its authority under this Section. The requirements for the Planning Board to make findings with respect to the issues listed in Section 1.5 of this By-Law for the granting of Special Permits shall be in addition to, and considered part of, the requirements of this Section.

In granting any Special Permit under this Section, the Planning Board may impose such conditions, safeguards, limitations and restrictions as it deems appropriate, and which are not inconsistent with the purpose or provisions of this Bylaw, wherever in the Board's determination such requirements are warranted and in the public interest. All Special Permits issued under this Section shall be in accordance with the provisions of Chapter 40A of the General Laws, as well as all applicable requirements of the Grafton Zoning By-Law.

The Planning Board may grant relief through the Special Permit process for the following:

1. Off-premises Institutional Directory Signs (Section 4.4.2.2.7)

The organization desiring said directory sign shall apply to the Planning Board in writing stating the proposed wording and site or sites for such sign(s). No more than two (2) such signs facing traffic from one direction, nor more than four (4) signs in total, shall be permitted per applicant unless the Board finds that hardship and unique circumstances mandate the need for additional signs. The Planning Board shall refer the application to the Department of Public Works, who shall submit a report in accordance with the requirements of Section 1.5.6 of this **By-Law**. The Planning Board, after consideration of the information

submitted, shall approve the final wording and design of such directory signs. Signs approved under this sub-section shall be constructed, installed and maintained by the applicant in accordance with the requirements of the Department of Public Works and this **By-Law**, unless otherwise specified under any such Special Permit. The application shall be accompanied by a paid fee of one hundred dollars (\$100.00) per sign covered by the application.

2. Alternative Location for a Directory Sign (Section 4.4.3.2.5)

The Planning Board may grant a special permit to allow an alternative location for a directory sign, other than that allowed by Section 4.4.3.2.5, if the Board determines that the building design precludes effective use of a wall mounted directory sign. Such a sign may be free standing but must conform to all other provisions of this **By-Law** including having an area no greater than one (1) square foot for each occupant or tenant of the building.

3 Use of one sign, which is not otherwise permitted by right by these By-Laws, per lot.

Such signs, whether portable or otherwise, shall not exceed twelve (12) square feet in area, and shall not be illuminated in any way. In their decision, the Planning Board shall specify the particular location of the sign, and may further limit its time or manner of display. Applications should indicate the amount of allowable signage for the lot, the amount of existing signage, and the size(s), location(s) and type(s) of all existing and proposed signage which benefits the site. Such signs may be authorized for a specific period of time, and following a separate public hearing for each request, may be renewed so that such signs are not displayed for more than 180 days per calendar year.

4 Relief from the requirements of Section 4.4 with respect to the size, minimum setback, location (on- or off-premises), or quantity of sign(s).

4.4.5 Severability

If any provision of this section, or the application thereof to any person or circumstance, shall be held invalid by any court or competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are hereby declared to be severable. (T.M. 5-10-04)

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